

REMARKS

Claims 1-8 are all the claims pending in the present application.

I. Response to Rejection Under 35 U.S.C. § 103

In Paragraph No. 4 of the Office Action, claims 1-8 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Momota et al. (US 6,743,562 B2) in view of Tan et al. (US 6,740,470 B2).

Applicant respectfully traverses the rejection for at least the following reasons.

a. There Is No Motivation to Combine the Cited References

Tan et al discloses a lithographic printing plate precursor having excellent uniformity of the image-forming layer, capable of forming a high-contrast image without reducing the sensitivity and favored with good inking property, *due to the presence of a specific fluorine-based polymer* (col. 4, lines 19-30).

However, Tan et al does not disclose or suggest that these benefits are derived from the *combined use* of the specific fluorine-based polymer of Tan et al with another specific polymer such as that disclosed in Momota et al.

In fact, in all the examples of Tan et al, a composition comprising a specific fluorine-based polymer is compared with a composition not containing the specific fluorine-based polymer to show the superiority of the Tan et al invention. That is, a composition comprising the specific fluorine-based polymer as the *sole* photosensitive component is sufficient to achieve the claimed benefits.

Accordingly, Applicants respectfully submit that there is no motivation for one of ordinary skill in the art to add the specific fluorine-based polymer disclosed in Tan et al to the composition of Momota et al which already contains a photosensitive material.

b. The Present Invention Is Patentable In View Of Its Unexpected Superiority

The composition disclosed in Momota et al provides simultaneous achievement of depth of focus (DOF) and post exposure delay (PED) stability by virtue of the combination of the compound represented by formula (1) of Momota et al and a diazomethane compound.

Tan et al pertains to the techniques of preventing bubbles from contamination in the coating solution during the manufacture of the printing plate containing a specific compound, and improving the ink adhesion property during printing.

On the other hand, the present invention improves development defects and thus has completely different advantages. The development defects in semiconductor lithography occur due to complicated combinations of various factors. Although the materials for printing plate of Tan et al share a common feature of photosensitivity with a photoresist composition for semiconductor lithography, there are significant differences between printing plates and semiconductor lithography. Therefore, the teachings of Tan et al cannot be readily applied to a photoresist composition for semiconductor lithography.

In addition, Applicant submits herewith a sworn English translation of his priority document, i.e., JP 2002-241946, to obtain the benefit of his priority claim. Applicant claims a priority date of August 22, 2002, which is prior to the November 21, 2002 and April 24, 2003 § 102(a) dates of Momota et al. and Tan et al, respectively. Support for the present claims in JP 2002-241946 is summarized below:

| <u>Present claims</u> | <u>JP 2002-241946</u> |
|-----------------------|---|
| 1 | claim 1 |
| 2 | claim 2 |
| 3 | page 16, paragraph [0034] |
| 4 | paragraph [0042] bridging pages 19 and 20 |
| 5 | page 20, paragraph [0043] |
| 6 | page 30, paragraph [0065] |
| 7 | page 89, paragraph [0154] |
| 8 | page 100, paragraph [0175] |

Further, Applicant states that the present invention and Tan et al were owned by the same assignee, i.e., Fuji Photo Film, Co., Ltd., at the time the present invention was made. Therefore, Momota et al. and Tan et al are not § 102(e) prior art in this § 103(a) rejection.

In view of the above, Applicant respectfully submits that the present invention is not obvious over the cited references and that the rejection should be withdrawn.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/642,576

Attorney Docket Q77065

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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